

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|--|---|---------------------------------|
| THE PEOPLE OF THE STATE OF |) | |
| CALIFORNIA, <i>et al.</i> , |) | |
| |) | |
| Appellants, |) | |
| |) | |
| vs. |) | Case No. 4:25-cv-0999-MTS |
| |) | |
| 23ANDME HOLDING CO., <i>doing business</i> |) | Consol. Appeal of 4:25-bk-40976 |
| as VG ACQUISITION CORP., |) | |
| |) | |
| Appellee. |) | |

ORDER

For the reasons explained on the record in the hearing held in this matter this same date,

IT IS HEREBY ORDERED that Appellants’ Motions for Stay Pending Appeal in this consolidated matter are **DENIED**.

IT IS FURTHER ORDERED that, to allow Appellants the ability to seek review in the United States Court of Appeals, the Administrative Stay previously entered in this matter preventing any transfer of identifiable California consumer biological samples and genetic data, *see* Doc. [10], shall remain in effect until **11:59 p.m. CDT** on **Friday, July 11, 2025**, at which point such administrative stay will terminate automatically. *See Brady v. Nat’l Football League*, 638 F.3d 1004, 1005 (8th Cir. 2011) (recognizing that the “purpose” of an administrative stay is “to give the court sufficient opportunity to consider the merits of the motion for a stay pending appeal”); *United States v. Texas*, 144 S. Ct. 797, 798 (2024) (Barrett, J., concurring) (recognizing administrative stays do not reflect a

court's "consideration of the merits" of an appellant's motion); Fed. R. App. P. 8(a)(1)(A) (recognizing that a district court may "stay" a "judgment or order" pending appeal); *cf.* Fed. Bank. R. 6004(h), 6006(d).

Dated this 10th day of July 2025.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE